

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID MICHAEL OSIFCHIN,

Petitioner,

v.

LAWRENCE MAHALLY, *et al.*,

Respondents.

NO. 3:16-CV-2446

(JUDGE CAPUTO)

(MAGISTRATE JUDGE ARBUCKLE)

ORDER

NOW, this 31st day of October, 2018, upon review of the Report and Recommendation of Magistrate Judge William I. Arbuckle (Doc. 16) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 16) is **ADOPTED**.
- (2) The Petition under 28 U.S.C. § 2254 for a Writ of Habeas Corpus (Doc. 1) filed by Petitioner David Michael Osifchin is **DENIED**.
- (3) A Certificate of Appealability **SHALL NOT ISSUE**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge